

SHER TREMONTE LLP

January 9, 2017

**BY ECF**

The Honorable Ronnie Abrams  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007-1312

Re: *United States v. Jason Galanis et al.*, 16-CR-371 (RA)

Dear Judge Abrams:

We write on behalf of our client, Gary Hirst, to request that Mr. Hirst be excused from personally appearing at the status conference scheduled for January 13, 2017.

Federal Rule of Criminal Procedure 43(b)(3) permits a defendant to waive his right to be present in court for any proceeding involving only a conference or hearing on a question of law. At the prior conference in this case, the Court indicated that on January 13, 2017, the parties would convene to schedule a trial date. Mr. Hirst lives in Florida and would have to travel to New York to attend the conference. He has indicated that he wishes to waive his personal appearance at the conference and he will of course be available for any trial date the Court sets.

Accordingly, we respectfully request that the Court waive Mr. Hirst's personal appearance at the January 13, 2017 conference.

Respectfully submitted,

/s/ \_\_\_\_\_  
Michael Tremonte  
Noam Biale

*Attorneys for Gary Hirst*

cc: All counsel (via ECF)